

COLONIST AND CHRONICLE

Thursday Morning, August 30, 1866.

Shipping Intelligence.

PORT OF VICTORIA, VANCOUVER ISLAND

ENTERED

Aug 29—Stair Enterprise, Swanson, N Westminster
CLEARED.
Aug 29—Stair Jolie McNear, Crosby, P. Angeles

Auction Sales To-day.

P. M. BACKUS.....Wharf Street.....will sell at 11 o'clock, a. m., at salesroom, a lot of Goods suitable for the Indian trade.

Legislative Council.

Tuesday, August 28, 1866.
The Council met at 2:30 p. m. Present—The hon. the Chief Justice, Col. Secretary, Attorney General and H. Rhodes.

CATTLE TRESPASS.

The Attorney General obtained leave to introduce a Bill relative to the trespass of cattle on lands. It proposes amongst other provisions, that no person shall be entitled to compensation for damage on account of trespass, except such lands trespassed on be fenced. It also provides to deal with the question of the fencing of lands so far as the Indians are concerned.

The Colonial Secretary regretted that the lateness of the session prevented them from fully discussing an important measure such as this. The matter of the disagreement between the Indians at Cowichan and the white settlers was referred to. At a subsequent time, he thought it might do well to bring up a "fence" law or something of the sort.

The Chief Justice thought the Bill oppressive; at the same time an important one for good or for evil. He did not think it wise to legislate in a hasty way, but believed in a general fence law for the Colony. He was also opposed to it because it was proposed to create the establishment of new Courts, and did not think the Council would act wisely at this late period of the session to attempt to pass the Bill.

The Attorney General replied. He believed from enquiries made that the feeling of the public was in favor of it.

The Bill was read a first time opposed by the President.

BILLS OF AMENDMENT BILL.

A Bill to amend the Bills of Sale Act, was introduced by the Attorney General and it passed a first reading.

ROAD ACT.

A Bill to amend the Road Act, was read a third time and passed.

APPROPRIATION BILL.

The Colonial Secretary moved that a Bill to supply the sum of two hundred and forty-eight thousand nine hundred and sixty-three dollars and thirty-two cents, out of the general revenue of the Colony, for the service of the year 1866, be now read a third time. Carried unanimously.

PATENT BILL.

Council in Committee on a Bill to provide for the protection of Inventions, Mr Rhodes in the Chair.

The Committee reported a short and simple form of Bill, asking out a number of clauses of the Lower House one. It was then read a third time on motion of the Colonial Secretary and passed.

CITY INCORPORATION BILL.

Council went into Committee on the Bill to explain and amend the Victoria City Incorporation Act—Mr Rhodes in the Chair.

The Colonial Secretary moved the following in lieu of clause 2, which had been suspended:—

Prior to the 1st of January in each year, the Council may, subject to the provisions of the Victoria City Incorporation Act, 1862, by a by-law passed and confirmed in the manner prescribed by the said Act, determine what amount of funds may be required for Municipal purposes for the year ensuing, and the amount shall be raised by tax upon real estate situated within the city, provided the amount of such tax shall not exceed one-half of one per cent. upon the value of the property as assessed in the last Government assessment roll for the time being. Carried.

Section 24 of the old Bill was repealed. Clause 4 of the Lower House Bill was struck out and the following inserted:—
The tax as aforesaid shall be payable as shall be determined by the by-law under which it is levied, and if not paid at the expiration of 30 days, the same may be levied by distress of the goods of the parties occupying the property, or in default of a sufficient distress by distress of the goods and chattels of the owner of such property, wherever found, and if there be no occupier or owner of such property, then the tax shall be registered in the Land Registrar's office and the Registrar General of Titles is required to register the same as a first charge against the property in respect of which the tax is due, next after taxes due to the Crown, notwithstanding any charges already existing other than charges for taxes, as herein provided. Carried.

Clauses 5 and 6 were struck out. Clause 7, providing for the maintenance of the Fire Department out of the Municipal revenue, was passed—to provide for the maintenance of the Police Department out of the said revenue, was already struck out. The other clauses of the Bill were discussed on a former occasion and were passed. The Committee then reported the Bill complete and it was read a third time and passed.

HARBOR DUES ACT.

The Harbor Dues Amendment Act was read a second time.

The Council adjourned till Wednesday at 2 p. m.

Legislative Assembly.

Tuesday, Aug. 28th 1866.

Speaker took his seat at 3:20 p. m. Present—Messrs DeCosmos, Young, McClure, Dickson, Cochrane, Stamp, Carswell, Pidwell.

PETITION.

Mr DeCosmos presented a petition from seventy settlers at Cowichan, praying that provision be made for requiring the fencing of lands, and that Indians be included therein. Mr DeCosmos stated that the Attorney General was unable to prepare a bill embodying the provisions of the petition, at this late stage of the session, but a short bill would be introduced, disallowing damages for injuries done to crops on property not enclosed. The petition was ordered to lie on the table.

MR BRENNAN'S CASE.

Mr Young on behalf of the Committee read a lengthy report of the Committee, recommending that a title to certain land at Cowichan which he (Brennan) had settled upon and cultivated for five years, be given to Patrick Brennan.

The report was ordered to lie on the table.

THE DREDGER.

Mr Cochrane gave notice of motion to rescind the resolution preventing the Governor from selling the Dredger machine, should a fair price be offered for it.

(Dr Trimble here came in.)

Dr Dickson introduced his resolution dissenting from the credit of the Colony being pledged by the Governor without the sanction of the House, and furnished his reasons for offering the resolution.

The Speaker said it amounted after all

only to a resolution, which was a mere expression of opinion and not an Act.

Dr Dickson was aware of that, but wanted the matter so lodged in that the Executive could not legally borrow money as had been done on the credit of the public's funds without the assent of the people's representatives. Mr Young seconded the motion.

(Dr Powell here came in.)
Mr Pidwell ridiculed the resolution and showed cases where works were required, which it might be necessary for the Government to carry out at once, and the inconvenience that would arise by the Governor's hands being thus tied. The motion was like the last flicker of a candle, and was only something to go to the constituencies with.

Mr McClure supported the resolution, he thought if the House had any control over the Executive at all it was in reference to financial matters. He thought if any urgent case required the expenditure of money, it was easy enough for His Excellency to call the House together, but the House should not lend its sanction to so dangerous a course as the borrowing of money by the Executive from a bank when the money was not in the Treasury.

Dr Dickson defended the resolution which was carried, Mr Pidwell dissenting.

UNCONDITIONAL UNION.

Mr Young reopened the debate on his resolution rescinding the portion of the Union Resolutions of January, 1865, asking for unconditional Union of the Colonies.

Mr McClure, although he agreed with the principle of the resolution, would move an amendment. It was generally believed that the Union Bill which had been introduced into the House of Parliament was not passed, but if the House took no action during the interregnum, a similar bill would not be introduced by Lord Derby's Government. He thought that his amendment would not cause the House to study itself. It was deemed advisable at the time to leave the terms of Union untrammelled, but it certainly was not contemplated that the Home Government should take away the rights of Representative Government. His amendment was as follows.

This House, anxious to see the Colonies of Vancouver Island and British Columbia united under one Government, and relying on those liberal and enlightened principles which now happily govern the relations of Her Majesty's Government with the Colonies of Great Britain, passed on the 25th of January, 1865, a series of resolutions expressing a willingness to submit to any Constitution which Her Majesty might be pleased to grant. Having from recent circumstances, however, learned that Her Majesty's Government, contrary to the general Colonial policy of Great Britain, contemplated in the scheme for uniting the Colonies a withdrawal of representative Government from Vancouver Island, this House is reluctantly compelled to rescind those portions of such resolutions above-mentioned as might lead Her Majesty's Government to believe that this House, although still desirous of Union, is willing to relinquish Representative Government for any advantage that might accrue from such Union, and this House expresses its adherence to the series of resolutions on the state of the Colony passed by this House on the 21st June 1866, and transmitted to Her Majesty. That His Excellency Governor Kennedy be respectfully requested to transmit the foregoing to Her Majesty's Secretary of State for the Colonies without delay.

Mr Pidwell seconded the amendment believing that it embraced the whole question and showed Her Majesty's Government what the Colony wanted.

Mr DeCosmos spoke at length. He was quite prepared to accept one Council for the United Colonies, although he was as much in favor of a preponderance of popular representation as any member. It was believed at the time Union was asked for that there would only be one House with about two-thirds popular voice. He thought the proposed Council would work vigorously and it would be most suicidal to say that there should be no Union except on the basis of popular representation. It would serve to retard Union and to throw the Colony back, and looking at it in a monetary point of view he would on behalf of his constituents, sooner than without Union, accept the proposed bill, or even one Governor without a House. He had reason for asserting that to-day from Cariboo to New Westminster the people were most anxious for Union with the Colony.

After a few words from Mr McClure and Mr Pidwell, the motion was put and Mr Young's resolution was lost.

Mr McClure's amendment was carried.

Ayes—Messrs Trimble, Young, McClure, Dickson, Cochrane, Stamp, Carswell, Carswell, Stamp.

Noes—Mr DeCosmos.

The Speaker informed the House that in his opinion it had made a great mistake.

PUBLIC EXPENDITURE.

Dr Dickson moved a resolution, seconded by Mr Young, that money should be only applied by the officer administering the Government to the purpose intended by the Legislature.

Mr Pidwell considered this disgraceful legislation, a mere personal matter of which nothing would have been heard, had it not been for Codfish and Coroners fees! (laughter.)

The resolution passed, Mr Pidwell dissenting.

House adjourned till Wednesday at 1 p. m.

WEDNESDAY, Aug. 27, 1866.

Speaker took his seat at 1:15 p. m., Present—Messrs DeCosmos, Young, McClure, Dickson, Carswell, Pidwell, Cochrane.

Mr McClure said it was evident the Council intended the bill should not pass as it had been a long time before them, and was only sent down at the last moment, when it was too late. He thought the responsibility must be thrown upon the Council by the House adhering to its own bill.

Dr Dickson thought the amendment ought to be sent back.

Mr DeCosmos moved that the amendments be returned to the Council that the onus of the consequences might rest where it properly belonged. The motion was agreed to nem con.

APPROPRIATION BILL.

This bill also came down from the Council with amendments, the schedule being entirely erased.

Mr DeCosmos offered a resolution stating that the House did not concur in the amendments and denied the right of the Council to amend the Supply Bill. It was a clear usurpation of power. The Council had deliberately taken upon itself to vote the supply as a whole, leaving it to the Executive to expend the money as it thought fit; he should certainly not vote for any such thing and he thought the House would be a unit on that point.

Mr Young seconded the resolution; it was evident the Executive intended

to do what it pleased with the public money.

The Council's amendments were unanimously rejected and Mr DeCosmos' motion passed without dissent.

SUPPLEMENTAL SUPPLY.

House went into committee, Dr Dickson in the chair, on the Supplemental Supply Bill \$26,581 3/4, being the excess of expenditure in 1865, which was reported.

THE DREDGER.

Mr Cochrane moved the suspension of Standing Orders to enable him to introduce his motion respecting the disposal of the Dredger Machine.

The motion was refused, there not being a two-thirds vote.

BRENNAN'S CASE.

Mr Young moved that the report of the Committee be adopted and a copy forwarded to the Executive, which, after some remarks from Messrs. DeCosmos, Pidwell and Dickson, was agreed to.

House adjourned till Thursday at 3 p. m.

INTERESTING CEREMONY.—The foundation of St. Paul's Church, Esquimalt, will be laid this afternoon at 4 o'clock—the following being the order of procession: The band of H. M. S. Sutlej; Guard of Honor; School Children; Architect and Builder; Church Wardens of St. Paul's; Church Committee; Officers of H. M. and of U. S. Navy; the Honorable the Speaker and Members of the House of Assembly; the Honorable the Chief Justice and Members of the Legislative Council; Rear Admiral the Honorable Joseph Denman and Staff; His Excellency the Governor and Staff; the Clergy of the Diocese; the Lord Bishop and Chaplain.

The procession, on arriving at the site of the church, will occupy the places allotted to them. The proceedings attendant on the laying of the foundation stone will take place in accordance with the prescribed form of service. The foundation stone will be laid by the Honorable Mrs Denman. After the service is concluded addresses will be delivered by His Excellency the Governor, the Chief Justice and the Lord Bishop.

ANOTHER CHARGE OF WHISKY SELLING.—Thomas Doherty, alias Patrick Donahue, was charged yesterday with supplying a cask of spirits to Indians at James Bay.

Officers Abson and Tennel, who arrested the prisoner, said they saw Doherty take the spirits to the waters edge and hand it to four Indians, who placed it in a canoe. When Doherty was arrested he asserted that he was taking the spirits to Nanaimo in his own boat, and that the Indians were hired by him. Prisoner offered to bribe the officer, and when that failed tried to make his escape. An Indian and a Kootenai were called who said that the canoe was theirs, but that they were hired to come to Victoria, and that the whisky belonged to prisoner and not to them. The Magistrate said he was satisfied that the spirits were intended for Indian consumption and should find prisoner guilty, but would remand him for one day for references as to character.

DARING CLOTHES ROBBERY.—A family residing on the east side of Blanchard, near the top of Cormorant street, was robbed of a quantity of clothing and bed linen on Tuesday night. It appears that the good lady of the house, after an unusually big wash, had left the articles in a basket in a boiler, which was covered over and placed in a covered shed attached to the back of the house, some few things being spread out to dry in the shed. The family retired to bed about 9 o'clock, and shortly afterwards a noise was heard in the back, which was believed to be cats, but in the morning they found to their dismay that some persons, supposed to be Indians, had removed almost their entire stock of linen. The thieves had coolly stopped to rinse the water out of the things.

BANKRUPT COURT.—Wednesday—Re J. J. McCreedy. Adjourned for a fortnight to effect certain arrangements, viz: To assign two cottages for the benefit of the creditors, to surrender bill of sale of furniture, and to assign damages and costs in the matter of McCreedy v. Copland.....J. Murray passed first examination, to appear in one week. No creditors opposing the Court directed that he be left in possession of his effects.....Re Thomas Mann—Official Assignees costs allowed.....Re Charles Dupond—Bankrupt surrendered to appear in one week, arrangements being suggested by the Court to supersede bankruptcy, as the estate appeared to be solvent.

DOCKYARDS AND BUILDINGS AT ESQUIMALT.—We learn that the Imperial Government has decided upon erecting extensive works at Esquimalt for the accommodation of the naval department, and that every requisite for the establishment of a first class naval depot will be shortly on the ground. Fortifications will follow as a matter of course.

FROM BIG BEND.—Mr Fredk Pearce, and Mr Murray, of the firm of Wilson & Murray of this city, arrived yesterday from Big Bend. Mr Murray informs us that although the Big Bend mines have so far disappointed all who went up this season, he believes they will yet turn out a great mining country.

REMOVAL.—Solomon Bros. beg to inform the public that they have removed to the Brick Building, Government Street formerly the Enterprise Saloon. They have received per "Mohawk," a large assortment of Men's Clothing and Under Clothing, which they will sell lower than any house in town. Give them a call.

VICTORIA RIFLE CORPS.—Second class firing, Monday and Thursday at 3 30, p. m., 3d class firing, Wednesday at 4, p. m., 'squad drill, Tuesday and Friday at 7 30, p. m. By order, J. GORDON VINTER, Lieut. and Adjutant.

CEDAR CREEK.—There are twenty-five men left on this creek. Nuggets weighing \$2 50 had been taken out. No gold is found in the gravel. On the 22d inst., the Discovery Company were getting ready to work.

CHECKER MATCH.—The return match between the Fleet and the Victoria players will take place at Colwood on Saturday.

THE GROSS RECEIPTS OF Tuesday evening's performance in the Theatre in aid of the Cricket fund, exceeded \$400.

DROWNED.—Yesterday a man named James McClusky, residing at Sehome, (Beltingham Bay) was reported to have been accidentally drowned. Deceased, who was well known in the neighborhood, having resided at Bellingham Bay for the last eight years, was in the habit of running a boat to Whidby Island. His boat was found floating about with the sail partially lowered, and it was believed that he had either fallen or been knocked overboard, as two children declared that they heard a man in the water calling for help but could not discern from whence the voice came.

BREWING BY STEAM.—Steam was got up for the first time in any of our Island breweries on Monday last by Mr Bunster in his Brewery on Johnson street. The boiler and engine, which work admirably, were erected under the special supervision of Mr J. R. Hoare.

THE DEJUNKER to be given by commander Sullivan and the officers of H. M. S. Sutlej, which was to have taken place at Esquimalt yesterday, has been postponed on account of the inclemency of the weather until Friday.

FASHION CONCERT ROOM.—This popular place of amusement is nightly crowded with visitors, and the attractions offered are of a first class order. Give "Charley" a call. *

QUICK TIME.—Among our despatches received last evening, were telegrams of the previous day from Prague in Bohemia, and of the previous evening from London.

SALE OF BLANKETS, &c.—Mr Backus will hold a catalogue sale of fine blankets at his rooms this morning. A valuable piece of real estate will also be offered.

THE steamer Enterprise, last evening, brought down 21 passengers and a considerable amount in treasure.

THE customs receipts at New Westminster last week reached £5490 52.

A New and Grand Epoch in Medicine!—Dr. Mac is the founder of a new Medical System! The Quan Italian, whose vast internal dose enfeeble the stomach and paralyze the bowels, must give precedence to the man who restores health and appetite, with from one to two of his extraordinary Pills, and cures the most violent cases with a box or so. His wonderful and healing Pills. These two great specifics of the Doctor are fast superseding all the stereotyped nostrum of the day. Extraordinary cures by Maggell's Pills and Save have opened the eyes of the public to the inefficiency of the (so-called) remedies of others, and upon which people have so long blindly depended. Maggell's Pills are not of the class that are swallowed by the dozen, and of which every box full taken creates an absolute necessity for another. One or two of Maggell's Pills suffice to place the bowels in perfect order, tone the stomach, create an appetite, and render the spirits light and buoyant. There is no griping, and no reaction in the form of constipation. If the liver is affected, its functions are restored, and if the nervous system is feeble, it is invigorated. This last quality makes the medicines very desirable for the wants of delicate females. Ulcerous and eruptive diseases are literally extinguished by the disinfectant power of Maggell's Salve. In fact, it is here announced that Maggell's Pills, his Eucalypt and Diarrhoea Pills cure where all others fail. Write for Barnes, Seaside, Chubb, C. & Co., and all ailments of the skin. Maggell's Salve is infallible. Sold by J. Moore, 11 Pine street, New York, and all Druggists, at 25 cents per box.

Auction Sales.

TO-MORROW

Friday, August 31,

AT 11 O'CLOCK, A. M.

BY ORDER OF THE IMPORTER,

AT SALESROOM,

Wharf street,

J. A. M'CREA

WILL HOLD SPECIAL

LIQUOR SALE!

ON A

LIBERAL CREDIT

IN ORDER TO

Close Invoices!

50 cs Jules Robin & Co. Brandy

25 cs Bowry Champagne

10 cs Orange Bitters

10 cs Chevy Brandy

Burgundy,

21 of Chamberlin

21 cs Muits

9 cs Grand Mousseux

AND

10 cs fine old Port Wine

40 bbls Pure Spirits

100 cs Champagne

10 cs Cherry Cordial, &c.

Auction Sales.

J. P. Davies & Co.

AUCTIONEERS AND COMMISSION MERCHANTS. Salesroom, Fireproof, Stone Building, Wharf Street near Yates.

Cash advances made on Consignments.

SATURDAY,

UNDER DISTRESS WARRANT FOR RENT,

WE WILL SELL

AT SALESROOM

Wharf Street

SATURDAY, SEPTEMBER 1,

AT 11 O'CLOCK, A. M.,

FOR THE ABOVE ACCOUNT,

LOT OF

Household & Kitchen

Furniture!

ALSO,

By order of the Superintendent of Police,

1 Cooking Stove

9 Chairs

1 Table

4 Pictures

ALSO,

1 Marble Top Bureau

6 Chairs

Lot Pictures

Brussels Carpet

AND

1 good Work Horse

TERMS CASH.

J. P. DAVIES & CO.,

au26 Auctioneers.

NOTICE

Mortgagee Sale!

MILLARD'S STONE BUILDING.

I am instructed by the Mortgagee

TO SELL

BY PUBLIC AUCTION,

ON

Monday, 17th September next

At two o'clock in the afternoon,

On the Premises

All that piece or lot of land situate on

Columbia street, New Westminster,

in the Colony of British Columbia,

numbered Lot Two, Block Six, in the

Official Plan or Survey of the said

City of New Westminster, containing

sixty-six feet by one hundred and

thirty-two, more or less, together with

the Stone Store and Building thereon,

with the appurtenances.

HENRY V. EDMONDS,

au15 Auctioneer.

Ex

MOHAWK & EVELYN WOOD

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